

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JERMAINE DORE,

Petitioner,

-v-

UNITED STATES OF AMERICA,

Respondent.

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9/1/16

Nos. 16-cv-699 (RJS) &
12-cr-45-2 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

On July 13, 2016, the Court issued an order staying briefing on Petitioner's motion pursuant to 28 U.S.C. § 2255 pending a decision by the Second Circuit in *United States v. Hill*, No. 14-3872, or *United States v. Barrett*, No. 14-2641, and directing Petitioner to file an amended petition within 30 days of such a decision. (16-cv-699, Doc. No. 17.) On August 3, 2016, the Second Circuit decided *Hill*, ruling that Hobbs Act robbery is a crime of violence under 18 U.S.C. § 924(c)(3). See *United States v. Hill*, 2016 WL 4120667, at *1. The Court is now in receipt of a letter from Petitioner, dated September 1, 2016, requesting with the government's consent that the stay of briefing be extended pending the Second Circuit's resolution of *Barrett*, No. 14-2641. (16-cv-699, Doc. No. 20.) The requested stay would put this matter on the same track as the petitions filed by Mr. Dore's co-defendants. Accordingly, IT IS HEREBY ORDERED THAT this matter is stayed pending the Second Circuit's decision in *Barrett*, and within thirty days of that decision, the parties shall submit a joint letter apprising the Court of how they propose to proceed.

SO ORDERED.

Dated: September 1, 2016
New York, New York



RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE